

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

HERON COVE ASSOCIATION, et al.

Plaintiffs,

Case No.:

Hon.

v.

GLADWIN COUNTY BOARD OF
COMMISSIONERS and FOUR
LAKES TASK FORCE,

Defendants.

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JOINT NOTICE OF REMOVAL OF ACTION

Defendants, GLADWIN COUNTY BOARD OF COMMISSIONERS and
FOUR LAKES TASK FORCE, by and through their respective attorneys, for their

Notice of Removal of Action, provide as follows:

1. On March 20, 2024, Plaintiffs filed the attached Complaint in the Gladwin County Circuit Court. (**Ex A**). On May 21, 2024, Plaintiffs filed the attached First Amended Complaint in the Gladwin County Circuit Court. (**Ex B**).

2. Defendant, Gladwin County Board of Commissioners, accepted service of the Complaint on May 20, 2024. Defendant Four Lakes Task Force accepted service of the Complaint on May 14, 2024. Plaintiffs filed and served counsel with a First Amended Complaint on May 21, 2024.

3. In Counts II of the Complaint and First Amended Complaint, Plaintiffs allege a violation of the Fifth Amendment (Inverse Condemnation/Takings) provisions of the United States Constitution. In Count IV of the Complaint and Amended Complaint, the Plaintiffs allege a violation of the Fourteenth Amendment (Procedural Due Process) provisions of the United States Constitution.

4. Removal of this litigation from the Gladwin County Circuit Court to this Court is proper pursuant to 28 U.S.C. §1441.

5. Defendants have properly and timely filed Notice of Removal within 30 days of service of the Complaint as required by 28 U.S.C. §1446.

6. Defendants have stipulated and agreed to the removal of this action from the Gladwin County Circuit Court to the United States District Court for the Eastern District of Michigan.

WHEREFORE, Defendants, GLADWIN COUNTY BOARD OF COMMISSIONERS and FOUR LAKES TASK FORCE, respectfully requests this Honorable Court grant its Notice of Removal of Action and remove this case from the Gladwin County Circuit Court to the United States District Court for the Eastern District of Michigan.

Respectfully submitted,

/s/ Timothy S. Ferrand

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CERTIFICATE OF SERVICE

I hereby certify that on June 4, 2024, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the attorneys of record, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: [none]

Cummings, McClorey, Davis & Acho, PLC

By: /s/ TIMOTHY S. FERRAND
Timothy S. Ferrand